

**Minutes of Meeting
Grafton Planning Board
August 11, 2014**

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A regular meeting of the Grafton Planning Board was held on August 8, 2014 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman David Robbins, Clerk Sargon Hanna, Robert Hassinger, Linda Hassinger and Associate Member Andrew Clarke. Absent was Vice-Chair Michael Scully.

Staff present was Town Planner Joseph Laydon and Assistant Planner Ann Morgan.

Chairman Robbins called the meeting to order at 7:00 p.m.

Mr. Robbins noted that a new agenda item, Public Input, was inadvertently left off this agenda. He offered his apologies and, noting that no one was present in the audience, moved the meeting to the next agenda item.

ACTION ITEM 1A: APPROVAL NOT REQUIRED PLAN – (ANR 2014-6) – MAGILL ASSOCIATES – 182-186 MAGILL DRIVE

Byron Andrews of Andrews Survey and Engineering as present to discuss the application. The ANR plan shows three lots fronting Magill Drive. The applicant proposes to decrease the square footage of each lot at rear by varying amounts. Those areas marked parcels A, B and C will be used to accommodate the abutting golf cart path. In addition the plan shows the utility easement running between 182 and 184 Magill Drive.

Mr. Hanna asked if the newly configured house lots would still be in conformance regarding the square footage. Mr. Laydon noted that this is flexible subdivision and that the proposed ANR plan would not adversely impact the lots.

MOTION to approve the ANR plan as submitted and to authorize the Town Planner to sign the plan on behalf of the Board made by Mr. Hanna, **SECOND** by Mr. Hassinger. **MOTION** passed unanimously.

ACTION ITEM 1B: CONSIDER DECISION – MINOR MODIFICATION OF DEFINITIVE PLAN APPROVAL – “BROOKMEADOW VILLAGE” SUBDIVISION – ALTERNATIVE DOCUMENTATION OF OPEN SPACES

Norman Gamache of Guerriere and Halnon was present to discuss the request. The Applicant has requested alternatives for the installation of bounds for open space within the subdivision. The current Subdivision Rules and Regulations are not consistent with the requirements of the Conservation Commission. Mr. Laydon noted that alternative bounds were approved under similar circumstances in the Brigham Hill Estates (now North Grafton Preserve) subdivision. Several issues were discussed including the types of bounds in relation to stone walls and wetlands. Mr. Laydon reviewed a draft set of monumentation alternatives for the Board to consider as modification to the approved Definitive Plan that addressed issues pertaining to ledge, stone walls and wetland resources areas.

Mr. Hassinger questioned how best to determine the appropriate monumentation in the case of a “substantial rock” found in a stone wall. It was noted that some of these decisions would be made in

the field. In order to protect the Board's interest in setting monumentation it was suggested that additional language be added to state that these changes could be made "with prior approval of the Board or its agent".

Mr. Gamache discussed the monumentation and impacts on the Wetland Resource Areas noting their requirements differ from the Subdivision Rules and Regulations thus creating an inherent conflict. The Board recognized the need to be cognizant of the Conservation Commission's efforts to promote minimal disruption. The Board agreed that where bounds are to be located in a wetland resource area, large diameter rebar (e.g. 1" diameter) or steel pipe (e.g. 1" diameter) may be used, if ordered by the Conservation Commission in their Order of Conditions.

The Board found that the requested modification to permit alternatives for the installation of bounds for open space within the subdivision did not impact or change the intent of the Special Permit and Definitive Subdivision Decision.

MOTION to approve the draft decision regarding the modification as amended made by Mr. Hassinger, **SECOND** by Mr. Hanna. **MOTION** passed unanimously.

Mr. Robbins noted that this issue should be addressed in future revisions of the Subdivision Rules and Regulations.

ITEM 3: STAFF REPORT

Mr. Laydon reviewed the July 2014 Planning Department Report dated August 7, 2014 (see EXHIBITS). Mr. Hanna noted that he appreciated the staff reports and found them very informative and helpful. Not included in this month's report but reviewed included:

- Cumberland Farms, North Grafton. They have received their demolition permit and a pre-construction meeting has been scheduled for Wednesday, 8/13.
- Department Staff update: Mr. Laydon noted that Planning Department secretary, Donna Kinchla, has been on an elongated leave for personal reasons but that she plans to be back in the office in the near future. She has been missed and her return will be most welcome.
- "Gristmill Village" Subdivision. Mr. Laydon reviewed the site visit report (see EXHIBITS below). He along with Jeff Walsh of Graves Engineering and John Grenier of Grenier Engineering walked the site. They discovered a very large oak tree which may qualify as a heritage tree under the Town's General By-Laws. The Tree Warden will be asked to make a determination. In addition there are a number of mature trees that would provide significant screening. Protecting these resources will be an important part of the discussion when considering lot layout. Mr. Hassinger noted that, in the past, these types of features have been drawn directly on the plans. The Board further discussed the groundwater information on the report. Mr. Laydon noted GEI will use this information for reviewing site drainage. The site will be served by the Grafton Water District and the municipal sewer system. This information is for the review of the drainage infrastructure.
- Project Notification Form (PNF) – Worcester Street – Vanesse Hangen & Brustlin have been working on complete the PNF and they are expecting to be done by the middle of September. Mr. Laydon will continue to update the Board and will arrange for them to attend a Planning Board meeting to discuss their work to date.

ITEM 5: MINUTES OF PREVIOUS MEETING

Mr. Robbins noted some minor changes in the draft meeting minutes.

MOTION to approve the draft meeting minutes of July 28, 2014 as amended made by Mr. Hanna, **SECOND** by Mrs. Hassinger. **MOTION** passed unanimously.

ITEM 6: CORRESPONDENCE

Mr. Laydon noted that he was in receipt of a letter from Attorney Joseph Antonellis representing the developer of the “Grafton Hill” subdivision. They will be formally requesting a hearing continuance to September 8, 2014. This request will be taken up at the August 25, 2014 Planning Board meeting.

ITEM 7: REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC

- Central Massachusetts Regional Planning Commission (CMRPC) – Mr. Laydon had recently received an email from CMRPC noting that they are undertaking a regional rail-oriented development study. The study is on a fast track and he will be working to provide information to CMRPC. The Board was asked to forward their individual comments to Mr. Laydon and he would incorporate them. It was noted that the email was also forwarded to all members of the Economic Development Commission.

Visual Preference Study – Mr. Laydon is working with Chris Ryan of CMRPC to develop a draft outline for a visual preference survey for Worcester Street business / commercial corridor. Funding will come from the District Local Technical Assistance (DLTA) program sponsored by CMRPC. A public forum later this fall / early winter is hoped for.

- Open Space and Recreation Plan Update Committee – Mr. Robbins stated that the Committee hasn’t met in a while but they plan on scheduling a public forum to discuss the results of the on-line survey and receive further input. No date has been set yet.

ACTION ITEM 2A: ZBL REVISIONS – SIGNS, KENNELS, AND FUTURE AMENDMENTS

Lot Perimeter – The Board reviewed proposed language that would change Section 3.3.3.4 of the Zoning By-Law that would include a provision for common driveways. Common driveways are addressed in Section 5.9 of the ZBL which requires a special permit. Sometimes the location of the approved common driveway would be in conflict with Section 3.3.3.4 with no mechanism for relief in the case of approved special permit. The Building Inspector had requested that this discrepancy be addressed. The proposed language now includes a provision to allow for common driveways approved by the Board.

The Board reviewed both the new language and Section 5.9 of the ZBL to make sure that they were consistent with the definition of common driveway.

MOTION to direct staff to prepare a draft warrant article for the proposed change to Section 3.3.3.4 of the Zoning By-Law for review at the August 25, 2014 meeting made by Mr. Hanna, **SECOND** by Mrs. Hassinger. **MOTION** passed unanimously.

Kennels – Mr. Laydon reviewed the draft material noting that he had been working with the Town Clerk to create changes in the Zoning By-law and the Town's General By-laws to address a long standing problem. Residents of Grafton are allowed to license up to three dogs as personal pets. Any more dogs constitute a kennel use under the Town's By-laws which requires a special permit. The definition of kennel in the ZBL doesn't address the ongoing issue of people have three or more dogs as family pets and some people are not registering additional dogs because they don't want to apply for a kennel special permit which is currently defined to address commercial activity. Mr. Hanna noted that undocumented dogs is a real concern. Mr. Laydon added that it creates an enforcement problem as well.

Draft language for revisions to the ZBL and General By-laws as based on Massachusetts General Law which was reviewed by the Board during the discussion. A number of issues were identified by the Board as requiring additional thought and research:

- Definitions need to be consistent between the ZBL and Article 16 of the General By-laws
- Creating a separate definition to differentiate between personal use and kennel.
- Creating language that reflects the provisions for personal use and kennel definitions in the Massachusetts General Laws
- Identifying the threshold number of dogs that crosses from personal use to kennel use requiring a special permit
- Revising the use table in the ZBL to reflect the difference between kennels for personal use and commercial use
- Creating language in both the ZBL and the General By-Laws that address impacts of new definitions as it relates to neighboring properties i.e. safety, nuisance, fencing, etc.

Mr. Laydon suggested that the Town Clerk attend a Planning Board meeting to better clarify the problem and work with them to organize the best solution. The Board agreed that this issue requires further discussion and that changes are required. These changes will not be ready for the October Town Meeting but could be ready for the May 2015 Town Meeting.

General Administrative Changes / Sign By-law – Mr. Laydon noted that draft material had been updated after the July 1, 2014 Board meeting and that revised version is now before them. The Board discussed the need to prepare the material for warrant article form. How to print warrant article in the paper and present the changes to Town Meeting will be challenging given the restructuring of the sign by-law sections. It was noted that the overall organization of the article remains the same and that the proposed changes will eliminate the internal inconsistencies.


The Board recommended that staff contact Town Counsel regarding how to proceed with warrant article form and format. Mr. Robbins asked that the Board forward any final comments directly to Mr. Laydon. The Board reviewed the time line for submission of warrant articles noting they need to be submitted soon to enable time for the required public hearings. Both draft warrant articles – lot perimeter and sign by-law administrative changes – will be discussed at the August 25, 2014 Planning Board meeting.

ADJOURNMENT

MOTION to adjourn made by Mr. Hanna, **SECOND** by Mr. Hassinger. **MOTION** passed unanimously. The meeting was adjourned at 8:45 p.m.

EXHIBITS

- **Action Item 1A: Approval Not Required Plan (ANR 2014-6) – Magill Associates j- 182-186 Magill Drive**
 - Form A Application for Endorsement of Plan Believed Not To Require Approval (ANR), Magill Associates (Applicant), submitted by Andrews Survey & Engineering, Inc., received August 6, 2014, 2 pages.
 - Plan, Division of Land of Highfields of Grafton on Magill Drive; prepared by Andrews Survey & Engineering, Inc.; dated August 6, 2014; 1 sheet.
- **Action Item 1B: Consider Decision – Minor Modification of Definitive Plan Approval – “Brookmeadow Village” Subdivision**
 - Draft Correspondence to Town Clerk; Request for Determination & Approval: Minor Modification the Definitive Subdivision Approval for “Brookmeadow” Subdivision, (Brookmeadow Lane, Taft Mill Road, Klondike Road) Off Providence Road & Milford Road, South Grafton, MA. Brookmeadow Village, LLC, Applicants; dated August 11, 2014; 1 page.
- **Item 2: Discussion Item – Zoning By-law Revisions – Signs, Kennels, future amendments**
 - Proposed Amendment for Special Cases – Lot Perimeter – Draft #1, August 11, 2014; 1 page.
 - Proposed Amendment for Kennel, Draft #2, August 11, 2014; 1 page.
 - Sign Definitions and By-Law Amendments, Organizational and Housekeeping Changes, Draft #5, July 2, 2014; 17 pages.
- **Item 3: Staff Report**
 - Memorandum from Town Planner, July 21014 Planning Department Report; dated August 7, 2014; 3 pages.
- **Item 6: Minutes of Previous Meeting**
 - Draft Open Session Minutes of July 28, 2014; 6 pages.
- **Item 7: Correspondence**
 - Site Visit Report, “Gristmill Village” subdivision; dated July 24, 2014; 2 pages.



Sargon Hanna, Clerk

